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TECH CENTER 1600/2900

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Applicants: Christoph Reinhard, Anne B. Jefferson, Jill A. Winter, and Filippo Randazzo

Serial No.: 09/875,440

Filed: 05 January 2001

ELECTION

For: COMPOSITIONS AND METHODS FOR TREATING NEOPLASTIC DISEASE
USING NET-4 MODULATORS

Examiner: Sean R. McGarry

Art Unit: 1635

Docket No.: PP-01701.002/59516-149 (formerly PP-01701.002/200130.522)

Date: 28 October 2002

Box Non Fee Amendment
Assistant Commissioner for Patents
Washington, DC 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir or Madam:

This is in response to a Restriction Requirement dated 27 September 2002 for the above-identified patent application.

REMARKS

Applicants respectfully request reconsideration of the proposed restriction requirement in view of the following remarks. Applicants elect Group IV (claims 1, 6, 7, 8, 9 and 10, drawn to NET-4 inhibitory antibodies) with traverse.

Applicants respectfully traverse this restriction requirement in that:

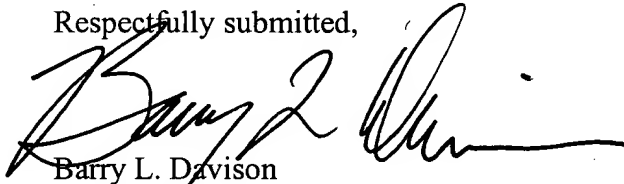
- (i) it fails to attribute applicants' method claim 20 into any proposed group; and further that
- (ii) with respect to proposed Group IV, it fails to include the method claims 12, 17, 19 and 20, which are generic to proposed Groups I-IV.

Applicants respectfully request that the Examiner clarify attribution of claim 20 among the proposed restriction groups.

Applicants additionally contend that proposed Group IV should include claims 12, 17, 19 and 20, because they are generic to this proposed group and should be examined so far as they read on the elected invention (*see* Examiner's own statement, with respect to claims 1, 9, 10, 12 and 19, at the middle of page 2 of the Restriction Requirement of 27 September 2002).

Applicants respectfully request examination and consideration of claims 1, 6, 7, 8, 9, 10, 12, 17, 19 and 20 in view of the elected invention.

Respectfully submitted,



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